

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

PETER BIBBY

v.

CA 09-529 ML

JOSEPH F. RODGERS, JUDGE and  
ADMINISTRATOR OF SUPERIOR COURT,  
STATE OF RHODE ISLAND,  
MAGISTRATE HARWOOD, and  
JANE AND JOHN DOE, CLERKS

MEMORANDUM AND ORDER

On December 15, 2009, Magistrate Judge Martin issued a Report and Recommendation in which he recommended that the complaint be dismissed for failure to state a claim upon which relief can be granted. 28 U.S.C. § 1915(e)(2). Plaintiff was notified in the Report and Recommendation that any objection to the Report and Recommendation had to be filed within 14 days of his being served with a copy.

On December 29, 2009, Plaintiff filed a request for an extension of 30 days to file his objections to the Report and Recommendation. On December 30, 2009, this Court granted Plaintiff's request for the 30-day extension.

On January 22, 2010, Attorney Keven McKenna entered his appearance on Plaintiff's behalf. Also on January 22, 2010, Attorney McKenna filed a request for "additional time to . . . file the objection to Magistrate Martin's memorandum (sic)." (Docket # 12) On January 25, 2010, this Court issued an order granting the motion for "additional time" and set February 5, 2010 as the deadline for filing any such objection. No objection was filed by February 5, 2010.

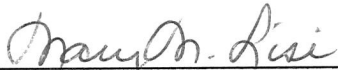
On February 10, 2010, Plaintiff filed a Motion for Extension of Time *pro se* wherein he advises that "Keven McKenna needs additional time to prepare a response."

In view of the travel of this case, as well as its predecessor, as detailed in Magistrate Judge Martin's December 15, 2009 Report and Recommendation, this Court sees no good reason to grant Plaintiff's latest request for additional time, purportedly on behalf of his retained counsel.

The Court, therefore, DENIES Plaintiff's request for an extension. Moreover, having considered the Report and Recommendation and the dismissal of Plaintiff's previous litigation of these same claims, this Court is of the opinion that no further delay in entering judgment in favor of Defendants is warranted.

Accordingly, the Report and Recommendation is adopted in its entirety and this matter is hereby DISMISSED.

SO ORDERED:



Mary M. Lisi  
Chief United States District Judge  
February 12, 2010